

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
SYLVESTER SAM DAVE,  
  
Defendant.

NO. CR-99-2067-EFS

**ORDER ENTERING COURT'S ORAL  
RULINGS FROM DECEMBER 16, 2009  
HEARING**

Before the Court is the Defendant's oral motion to dismiss the pending supervised release violation charges. Defendant represents that the underlying tribal court matters that form part of the basis for the alleged violations have been dismissed. However, the Court is not prepared to dismiss these charges unless the Government agrees, which it will not do.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's oral Motion to Dismiss Supervised Release Violation Charges is **DENIED**.

3. All materials for the supervised release violation hearing, including witness and exhibit lists, shall be filed **no later than January 4, 2010.**

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order and to provide copies to all counsel and the U.S. Probation Office.

**DATED** this 16th day of December 2009.

s/Edward F. Shea  
EDWARD F. SHEA  
United States District Judge

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